



Technical Circular

No.: 025/2023

Date: 12th September 2023

Subject: EU Port State Control and Local Authorities on Waste Disposal to Port Reception Facility in EU Ports.

1. It has been reported that European Union (EU) Port State control and local authorities such as the German Water Police are strictly enforcing their requirement for waste disposal under the International Convention for the Prevention of Pollution from Ships, 1973 (MARPOL) and ships are being prevented from leaving port until they are compliant with the requirements.
2. In this regard, attention is drawn to European Parliament and the Council Directive (EU) 2019/883 requiring, with certain exceptions, the Master of any ship calling in an EU port to deliver all waste on board to a port reception facility. A ship may proceed to the next port of call if it shows that there is sufficient dedicated storage capacity for all waste that has been accumulated and will be accumulated during the intended voyage of the ship to the next port of call.
3. To provide the methodology for uniformly calculating dedicated storage capacity, the EU issued Regulation 2022/89.
4. Annex I of above EU Regulation contains the arithmetic calculation based on the estimated amounts of waste retained on board in relation to the maximum dedicated storage capacity. Annex II provides the waste generation rates for MARPOL Annexes I, IV, V, and VI.
5. The Used Waste Capacity ('UWC'), estimated at the time of sending the advance waste notification to the port of call and expressed as a percentage of the maximum dedicated storage capacity, **must not exceed a predefined threshold.**
6. UWC is calculated with the following formula:

$$\text{UWC (\%)} = (A \times 100) / M$$

Where:

A is the estimated amount of waste type to be retained on board at the time of departure from the port of call (expressed in m³);

M is the Maximum dedicated storage capacity (expressed in m³);

(The calculation does not apply to waste disposal under MARPOL Annex II or passively fished wastes)

7. Below table provides the threshold values for the corresponding type of waste and next port of call.

Next port of call	Annex I to the MARPOL Convention	Annex IV to the MARPOL Convention	Annex V to the MARPOL Convention	Annex VI to the MARPOL Convention
Next port of call is an EU-port or is in the 'Group of Additional Selected Ports'	50 %	50 %	25 %	75 %
Next port of call is not an EU-port, nor is in the 'Group of Additional Selected Ports'	25 %	50 %	20 %	25 %

NOTE: The 'Group of Additional Selected Ports' includes those ports that are to be considered as EU-ports for the purpose of the application of the thresholds set out in Table. The ports included in this group are all ports located in: Iceland, Norway, United Kingdom (including Isle of Man, Channel Islands and Gibraltar) and Russian ports located in the Baltic Sea.

8. Where a ship is found to have more waste onboard than the threshold values mentioned above, **the port authorities may not allow the ship to leave the port.**
- i.e. $UWC (\%) < \text{Threshold (for compliance)}$
9. These EU Regulations apply to ports of call between EU ports as well as those between EU ports and non-EU-ports.
10. Owners/ operators and Masters of ships plying in EU ports are advised to be guided by above.

Enclosure:

1. Regulation (EU) 2022/89, dated 21 January 2022.

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